

Summary of Contents

Volume 1

PART I. INSURANCE (VEHICLE) ACT

- Chapter 1. Insurance (Vehicle) Act
- Chapter 1A. Minor Injury Regulation
- Chapter 2. Insurance (Vehicle) Regulation
- Chapter 3. Notice to Mediate Regulation
- Chapter 4. Schedules

Volume 2

PART II. INSURANCE CORPORATION ACT

- Chapter 5. Insurance Corporation Act
- Chapter 6. Regulations

PART III. FINANCIAL INSTITUTIONS ACT

- Chapter 7. Financial Institutions Act
- Chapter 8. B.C. Reg. 84/91 Insurance Company Vehicle Liability Insurance Regulation

Appendices

- Appendix A. Proof of Facts
- Appendix B. Summary of Accident Benefits
- Appendix IF. Issues in Focus
- Appendix TC. Tables of Concordance
- Appendix WP. Words and Phrases

Table of Added Cases

Table of Cases

Index

Table of Contents

Volume 1

PART I. INSURANCE (VEHICLE) ACT

CHAPTER 1. INSURANCE (VEHICLE) ACT

I. GENERAL

- § 1:1 Amendment History
- § 1:2 Prerevision Legislative History
- § 1:3 Commentary
- § 1:4 Cross-Reference

II. PART 0.1 DEFINITIONS, APPLICATION AND ENTITLEMENTS

A. GENERAL

- § 1:5 Part History

B. SECTION 1 DEFINITIONS AND APPLICATION

1. General

- § 1:6 [Section 1 Definitions and application]

2. Commentary

- § 1:7 Subs. (1) “certificate”
- § 1:8 “corporation”
- § 1:9 “coverage”
- § 1:10 “insured”
- § 1:11 “lessee”
- § 1:12 “lessor”
- § 1:13 “license”
- § 1:14 “motor vehicle”
- § 1:15 “motor vehicle liability policy”
- § 1:16 “optional insurance contract”

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 1:17 “owner”
- § 1:18 “owner’s certificate”
- § 1:19 “policy”
- § 1:20 “premium”
- § 1:21 “trailer”
- § 1:22 “universal compulsory vehicle insurance”
- § 1:23 “vehicle”
- § 1:24 “vehicle insurance”
- § 1:25 “vehicle liability policy”
- § 1:26 [Section 1.01 Exemption of government vehicles]
- § 1:27 [Section 1.02 Extraprovincial undertaking]
- § 1:28 [Section 1.03 Entitlements]

**III. PART 1 UNIVERSAL COMPULSORY
VEHICLE INSURANCE**

A. GENERAL

- § 1:29 Part History

B. SECTION 1.1 DEFINITIONS

1. General

- § 1:30 [Section 1.1 Definitions]

2. Commentary

- § 1:31 “benefits”
- § 1:32 “driver’s certificate”
- § 1:33 “highway”
- § 1:34 Cross-References

C. SECTION 1.2 APPLICATION OF THIS PART

- § 1:35 [Section 1.2 Application of this Part]

**D. SECTION 2 CORPORATION TO PROVIDE
UNIVERSAL COMPULSORY VEHICLE
INSURANCE**

- § 1:36 [Section 2 Corporation to provide universal
compulsory vehicle insurance]
- § 1:37 Commentary
- § 1:38 —Subs. (2)

E. SECTIONS 3-6 REPEALED

- § 1:39 [Sections 3-6 Repealed]

TABLE OF CONTENTS

F. SECTION 7 PLAN

- § 1:40 [Section 7 Plan]
- § 1:41 Commentary
- § 1:42 —“arising out of”

G. SECTION 8 REPEALED

- § 1:43 [Section 8 Repealed]

H. SECTION 9 APPLICATION OF OTHER ACTS

- § 1:44 [Section 9 Application of other Acts]
- § 1:45 Commentary

I. SECTION 10 REPEALED

- § 1:46 [Section 10 Repealed]

J. SECTION 11 COMBINED FORMS AND INFORMATION

1. General

- § 1:47 [Section 11 Combined forms and information]

2. Commentary

- § 1:48 Subs. (1)
- § 1:49 Subs. (3)
- § 1:50 Subss. (3), (4)

K. SECTION 12 REPEALED

- § 1:51 [Section 12 Repealed]

L. SECTION 13 REPEALED

- § 1:52 [Section 13 Repealed]

M. SECTION 14 SALVAGE

- § 1:53 [Section 14 Salvage]
- § 1:54 Commentary

N. SECTION 14.1 AGREEMENTS

- § 1:55 [Section 14.1 Agreements]
- § 1:55.30 [Section 14.2 Costs of health-related services]
- § 1:55.50 [Section 14.3 Validation]

O. SECTION 15 REPEALED

§ 1:56 [Section 15 Repealed]

P. SECTION 16 REPEALED

§ 1:57 [Section 16 Repealed]

§ 1:58 Commentary

§ 1:59 —Subs. (5)

Q. SECTION 17 LIMITATION

§ 1:60 [Section 17 Limitation]

§ 1:61 Commentary

§ 1:62 Cross References

R. SECTION 18 FINANCIAL RESPONSIBILITY
IN OTHER PROVINCES

§ 1:63 [Section 18 Financial responsibility in other
provinces]]

§ 1:64 Commentary

§ 1:65 —Subs. (4)

S. SECTION 19 FORFEITURE OF CLAIMS

§ 1:66 [Section 19 Forfeiture of claims]

§ 1:67 Commentary

§ 1:68 —Subs. (2) and (3)

§ 1:69 Cross References

T. SECTION 19.1 REPEALED

§ 1:70 [Section 19.1 Repealed]

U. SECTION 19.2 REPEALED

§ 1:71 [Section 19.2 Repealed]

V. SECTION 20 UNINSURED VEHICLES

1. General

§ 1:72 [Section 20 Uninsured vehicles]

2. Commentary

a. Introduction; S. 20, Generally

§ 1:73 Introduction

TABLE OF CONTENTS

§ 1:74	S. 20, Generally
	b. Subs. (1)
§ 1:75	“claimant”
§ 1:76	“uninsured motorist”
§ 1:77	“uninsured motor vehicle”
	c. Subs. (2) to (18)
§ 1:78	Subs. (2)
§ 1:79	Subs. (3)
§ 1:80	Subs. (5)
§ 1:81	Subs. (6)
§ 1:82	Subss. (6), (7)
§ 1:83	Subs. (7)
§ 1:84	Subs. (9)
§ 1:85	Subs. (10)
§ 1:86	Subs. (11)
§ 1:87	Subs. (12)
§ 1:88	Subs. (13)
§ 1:89	Subs. (17)
§ 1:90	Subs. (18)

W. SECTION 21 THIRD PARTY RIGHTS

§ 1:91	[Section 21 Repealed]
§ 1:92	Commentary
§ 1:93	—Subs. (5)

X. SECTION 22 CORPORATION TO BE NOTIFIED OF ACTION

§ 1:94	[Section 22 Corporation to be notified of action]
§ 1:95	Commentary

Y. SECTION 23 REPEALED

§ 1:96	[Section 23 Repealed]
--------	-----------------------

Z. SECTION 24 REMEDY FOR DAMAGE IN HIT AND RUN ACCIDENT

1. General

§ 1:97	[Section 24 Remedy for damage in hit and run accident]
--------	--

2. Commentary

§ 1:98	Generally
--------	-----------

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 1:99 Purpose of s. 24 (and predecessor sections)
- § 1:100 S. 24 [previously s. 23], generally
- § 1:101 Subs. (1)
- § 1:102 Subs. (1)(a)
- § 1:103 Subs. (1)(b)
- § 1:104 Subs. (1)(c)
- § 1:105 Subs. (1)(d)
- § 1:106 Subs. (2)
- § 1:107 Subs. (3)
- § 1:108 Subs. (4)
- § 1:109 Subs. (5)
- § 1:110 Subs. (6)
- § 1:111 Subs. (7)
- § 1:112 Subs. (8)
- § 1:113 Subs. (9)
- § 1:114 Subs. (10)
- § 1:115 Subs. (11)
- § 1:116 Subs. (12)

AA. SECTION 25 REPEALED

- § 1:117 [Section 25 Repealed]

BB. SECTION 26 REPEALED

- § 1:118 [Section 26 Repealed]

CC. SECTION 27 ACCIDENT REPORT

- § 1:119 [Section 27 Accident report]
- § 1:120 Commentary

DD. SECTION 28 MEDICAL REPORTS

- § 1:121 [Section 28 Medical reports]
- § 1:122 Commentary

**EE. SECTION 28.1 HEALTH CARE REPORTS
FOR ACCIDENTS ON OR AFTER APRIL 1,
2019**

- § 1:123 [Section 28.1 Health care reports for accidents on
or after April 1, 2019]

FF. SECTION 29 EMPLOYMENT INFORMATION

- § 1:124 [Section 29 Employment information]

TABLE OF CONTENTS

§ 1:125 Commentary

**GG. SECTION 30 SUPERINTENDENT'S
RECORDS**

§ 1:126 [Section 30 Superintendent's records]

HH. SECTION 30.1 REPEALED

§ 1:127 [Section 30.1 Repealed]

**II. SECTION 31 EXCESS PAYMENTS AND
DEDUCTION OF PREMIUMS**

§ 1:128 [Section 31 Excess payments and deduction of
premiums]

§ 1:129 Commentary—Subs. (1)

JJ. SECTION 32 REPEALED

§ 1:130 [Section 32 Repealed]

**KK. SECTION 33 APPLICATION FOR
INSURANCE**

§ 1:131 [Section 33 Application for insurance]

**LL. SECTION 34 PREMIUMS FOR
CERTIFICATES**

§ 1:132 [Section 34 Premiums for certificates]

§ 1:133 Commentary

MM. SECTION 35 REPEALED

§ 1:134 [Section 35 Repealed]

§ 1:135 Commentary

NN. SECTION 35.1 BLANKET CERTIFICATE

§ 1:136 [Section 35.1 Blanket certificate]

**OO. SECTION 35.2 COLLECTION OF
INFORMATION RELATING TO BLANKET
CERTIFICATES AND CERTIFICATES FOR
TAXIS INSURED AS PART OF FLEET**

§ 1:137 [Section 35.2 Collection of information relating to
blanket certificates and certificates for taxis
insured as part of fleet]

PP. SECTION 36 ISSUE OF CERTIFICATE

§ 1:138 [Section 36 Issue of certificate]

§ 1:139 Commentary—Subs. (1)

§ 1:140 —Subs. (2)

§ 1:141 —Subs. (4)

**QQ. SECTION 37 CERTIFICATE NOT ISSUED IN
CERTAIN CASE**

§ 1:142 [Section 37 Certificate not issued in certain case]

**RR. SECTION 38 INSURANCE CONDITION
PRECEDENT TO LICENCE**

1. General

§ 1:143 [Section 38 Insurance condition precedent to
licence]

2. Commentary

§ 1:144 Subs. (1)

§ 1:145 Subs. (2)(a)

§ 1:146 Subs. (2)(b)

§ 1:147 Subs. (2)(c)

**SS. SECTION 39 EFFECT OF LICENSING
ACTION**

§ 1:148 [Section 39 Effect of licensing action]

§ 1:149 Commentary

TT. SECTION 40 EXPIRATION OF CERTIFICATE

§ 1:150 [Section 40 Expiration of certificate]

§ 1:150.50 Commentary

UU. SECTION 41 NOTIFICATION

§ 1:151 [Section 41 Notification]

TABLE OF CONTENTS

§ 1:152 Commentary—Subs. (2)

VV. SECTION 42 OFFENCES

§ 1:153 [Section 42 Offences]

§ 1:154 Commentary

WW. SECTION 42.1 OFFENCE

1. General

§ 1:155 [Section 42.1 Offence]

2. Commentary

§ 1:156 S. 42.1 Generally/ Subs. (1)

§ 1:157 Subs. (2)

§ 1:158 Subs. (4) to (7)

§ 1:159 Subs. (8)

XX. SECTION 43 EXEMPTION OF
GOVERNMENT VEHICLES

§ 1:160 [Section 43 Replead]

§ 1:161 Commentary

YY. SECTION 44 EXTRAPROVINCIAL
UNDERTAKING

§ 1:162 [Section 44 Repealed]

ZZ. SECTION 44.1 REPEALED

§ 1:163 [Section 44.1 Repealed]

AAA. SECTION 45 POWER TO MAKE
REGULATIONS

§ 1:164 [Section 45 Power to make regulations]

BBB. SECTION 45.1 REGULATIONS
RESPECTING HEALTH CARE FEES

§ 1:165 [Section 45.1 Regulations respecting health care
fees]

§ 1:166 Commentary

CCC. SECTION 46 REPEALED

1. General

§ 1:167 [Section 46 Repealed]

2. Commentary

§ 1:168 Generally

§ 1:169 Subs. (1)

DDD. SECTION 46.1 REPEALED

§ 1:170 [Section 46.1 Repealed]

**EEE. SECTION 46.11 REVIEW OF
REGULATIONS**

§ 1:171 [Section 46.11 Review of regulations]

**FFF. SECTION 46.2 JURISDICTION OF THE
COMMISSION**

§ 1:172 [Section 46.2 Jurisdiction of the commission]

IV. PART 2

§ 1:173 [Sections 47.-51.]

V. PART 3

A. GENERAL

§ 1:174 Part History

B. SECTION 52 REPEALED

§ 1:175 [Section 52 Repealed]

C. SECTION 53 REPEALED

§ 1:176 [Section 53 Repealed]

D. SECTION 54 REPEALED

§ 1:177 [Section 54 Repealed]

E. SECTION 55 REPEALED

§ 1:178 [Section 55 Repealed]

F. SECTION 56 REPEALED

§ 1:179 [Section 56 Repealed]

TABLE OF CONTENTS

§ 1:180 Commentary

G. SECTION 57 REPEALED

§ 1:181 [Section 57 Repealed]

VI. PART 4 OPTIONAL INSURANCE CONTRACTS

A. GENERAL

§ 1:182 Part History

B. SECTION 57.1 DEFINITIONS AND
INTERPRETATION

§ 1:183 [Section 57.1 Definitions and interpretation]

C. SECTION 58 APPLICATION OF THIS PART

§ 1:184 [Section 58 Application of this Part]

D. SECTION 59 REPEALED

§ 1:185 [Section 59 Repealed]

E. SECTION 60 DUTY OF INSURER

§ 1:186 [Section 60 Duty of insurer]

F. SECTION 61 COVERAGE OF OPTIONAL
INSURANCE CONTRACTS

§ 1:187 [Section 61 Coverage of optional insurance
contracts]

§ 1:188 Commentary

G. SECTION 62 COVERAGE OF NON-OWNER'S
POLICY

§ 1:189 [Section 62 Coverage of non-owner's policy]

H. SECTION 63 COPY OF APPLICATION IN
POLICY

§ 1:190 [Section 63 Copy of application in policy]

I. SECTION 64 USE OF STATEMENTS IN APPLICATION FOR OPTIONAL INSURANCE CONTRACT

§ 1:191 [Section 64 Use of statements in application for optional insurance contract]

J. SECTION 65 LIMITS ON PHYSICAL DAMAGE

§ 1:192 [Section 65 Limits on physical damage]

§ 1:193 Commentary

§ 1:194 Cross-References

K. SECTION 66 AGREEMENT FOR PARTIAL PAYMENT OF CLAIM BY INSURED

§ 1:195 [Section 66 Agreement for partial payment of claim by insured]

L. SECTION 67 PARTIAL PAYMENT OF LOSS CLAUSE

§ 1:196 [Section 67 Partial payment of loss clause]

M. SECTION 68 RELIEF FROM FORFEITURE

§ 1:197 [Section 68 Relief from forfeiture]

§ 1:198 Cross-References

N. SECTION 69 PERSONS FORBIDDEN TO ACT AS AGENT

§ 1:199 [Section 69 Persons forbidden to act as agent]

O. SECTION 70 PROTECTION OF INSURANCE AGENT COMMISSION

§ 1:200 [Section 70 Protection of insurance agent commission]

P. SECTION 71 STATISTICAL INFORMATION

§ 1:201 [Section 71 Statistical information]

Q. SECTION 72 POWER TO MAKE REGULATIONS

§ 1:202 [Section 72 Power to make regulations]

TABLE OF CONTENTS

R. SECTION 72.1 VARIATION OF PRESCRIBED
CONDITIONS

§ 1:203 [Section 72.1 Variation of prescribed conditions]

S. SECTION 73 POWER TO MAKE
REGULATIONS ESTABLISHING AN INSURER
OF LAST RESORT

§ 1:204 [Section 73 Power to make regulations establishing
an insurer of last resort]

**VII. PART 5 PROVISIONS RELATING TO THE
PLAN AND OPTIONAL INSURANCE**

A. GENERAL

§ 1:205 Part History

B. SECTION 74 APPLICATION OF THIS PART

§ 1:206 [Section 74 Application of this Part]

C. SECTION 74.1 CIVIL RESOLUTION
TRIBUNAL

§ 1:207 [Section 74.1 Civil resolution tribunal]

D. SECTION 75 FORFEITURE

1. General

§ 1:208 [Section 75 Forfeiture]

2. Commentary

a. S. 75(a): Falsely Describes/Knowingly
Misrepresents

§ 1:209 General/Burden of Proof

§ 1:210 Falsely describes/knowingly misrepresents as to
principal owner

§ 1:211 Falsely describes/knowingly misrepresents re: theft
of vehicle

§ 1:212 Falsely describes/knowingly misrepresents re:
damage to vehicle

§ 1:213 Falsely describes/knowingly misrepresents re:
Consumption of alcohol

b. S. 75(b) and 75(c)

§ 1:214 S. 75(b) Violation of term, condition of insurance
plan

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

§ 1:215 S. 75(c): Wilfully false statement

E. SECTION 76 THIRD PARTY RIGHTS

§ 1:216 [Section 76 Third party rights]

F. SECTION 76.1 RECOVERY IN RELATION TO
MOTOR VEHICLE INSURANCE

1. General

§ 1:217 [Section 76.1 Recovery in relation to motor vehicle
insurance]

2. Commentary

§ 1:218 Generally

§ 1:219 S. 76, “Generally”

§ 1:220 Subs. (2)

§ 1:221 Subs. (3)

§ 1:222 Subs. (4)

§ 1:223 Subs. (6)

§ 1:224 Cross Reference

G. SECTION 77 RIGHTS OF INSURER

1. General

§ 1:225 [Section 77 Rights of insurer]

2. Commentary

§ 1:226 Generally

§ 1:227 “S. 77, Generally”

§ 1:228 Subs. (2)

§ 1:229 Subs. (3)

§ 1:230 Subs. (4)

§ 1:231 Subs. (5)

§ 1:232 Subs. (8)

H. SECTION 78 PAYMENT OF INSURANCE
MONEY INTO COURT

§ 1:233 [Section 78 Payment of insurance money into
court]

§ 1:234 Commentary

TABLE OF CONTENTS

I. SECTION 79 DEFENCE IF MORE THAN ONE CONTRACT

§ 1:235 [Section 79 Defence if more than one contract]

J. SECTION 80 OTHER INSURANCE

§ 1:236 [Section 80 Other insurance]

K. SECTION 81 UNNAMED INSURED

§ 1:237 [Section 81 Unnamed insured]

L. SECTION 82 INSURED TO GIVE NOTICE AND DISCLOSE DAMAGE

§ 1:238 [Section 82 Insured to give notice and disclose damage]

M. SECTION 82.1 LIABILITY LIMITED FOR CLASSES OF OWNERS

§ 1:239 [Section 82.1 Liability limited for classes of owners]

N. SECTION 82.2 LIABILITY LIMITED FOR HEALTH CARE COSTS

§ 1:240 [Section 82.2 Liability limited for health care costs]

§ 1:241 Commentary

O. SECTION 83 LIABILITY REDUCED

1. General

§ 1:242 [Section 83 Liability reduced]

2. Commentary

§ 1:243 “S. 83 generally”

§ 1:244 ICBC Affidavits

§ 1:245 Subs. (1)

§ 1:246 Subs. (2)

§ 1:247 Subs. (4)

§ 1:248 Subss. (4), (5)

§ 1:249 Subs. (5)

§ 1:250 Cross References

P. SECTION 84 SUBROGATION

1. General

§ 1:251 [Section 84 Subrogation]

2. Commentary

§ 1:252 Generally

§ 1:253 Subs. (1)

§ 1:254 Subss. (1), (2)

§ 1:255 Subs. (3)

**Q. SECTION 85 WAIVER OF TERM OR
CONDITION**

§ 1:256 [Section 85 Waiver of term or condition]

§ 1:257 Commentary

**R. SECTION 86 EFFECT OF PAYMENT UNDER
THE PLAN OR AN OPTIONAL INSURANCE
CONTRACT**

§ 1:258 [Section 86 Effect of payment under the plan or an
optional insurance contract]

S. SECTION 87 TERRITORIAL LIMITS

§ 1:259 [Section 87 Territorial limits]

T. SECTION 88 OUT OF PROVINCE USE

§ 1:260 [Section 88 Out of province use]

U. SECTION 89 PROOF OF INTOXICATION

§ 1:261 [Section 89 Proof of intoxication]

**V. SECTION 90 LIMITATION ON RECOVERY
FOR ACTS OF VIOLENCE**

§ 1:262 [Section 90 Limitation on recovery for acts of
violence]

§ 1:263 Commentary

**W. SECTION 91 LIMITATION ON RECOVERY IN
RELATION TO STOLEN VEHICLES**

§ 1:264 [Section 91 Limitation on recovery in relation to
stolen vehicles]

TABLE OF CONTENTS

§ 1:265 Commentary

X. SECTION 92 PAYMENT TO MINOR

§ 1:266 [Section 92 Payment to minor]

Y. SECTION 93 FAMILY EXCLUSION CLAUSES

§ 1:267 [Section 93 Family exclusion clauses]

**Z. SECTION 93.1 CORPORATION'S
COLLECTION REMEDIES**

§ 1:268 [Section 93.1 Corporation's collection remedies]

§ 1:269 Commentary

§ 1:270 —Generally

§ 1:271 —Subs. (4)

§ 1:272 —Subs. (5)

**AA. SECTION 94 POWER TO MAKE
REGULATIONS UNDER THIS PART**

§ 1:273 [Section 94 Power to make regulations under this
Part]

VIII. PART 6 VEHICLE ACTIONS

A. GENERAL

§ 1:274 Part History

B. SECTION 95 DEFINITIONS

1. General

§ 1:275 [Section 95 Definitions]

2. Commentary

§ 1:276 “accident”

§ 1:277 “designated defendants”

§ 1:278 “net income loss”

§ 1:279 “prescribed deductions and tax credits”

§ 1:280 “vehicle action”

**C. SECTION 96 ALTERNATE DISPUTE
RESOLUTION**

§ 1:281 [Section 96 Alternate dispute resolution]

**D. SECTION 97 APPLICATION OF SECTIONS 98
AND 100**

§ 1:282 [Section 97 Application of sections 98 and 100]

§ 1:283 Commentary

**E. SECTION 98 RECOVERY FOR LOSS OF
INCOME**

1. General

§ 1:284 [Section 98 Recovery for Loss of Income]

2. Commentary

§ 1:285 Generally

§ 1:286 Court Ordered Interest

§ 1:287 Insurance Exception

§ 1:288 Subrogation Agreements

§ 1:289 Generally

§ 1:290 Loss of Interdependency

§ 1:291 Past Income Loss

§ 1:292 Future Income Loss

§ 1:293 Standard of Proof

§ 1:294 Earnings Approach

§ 1:295 Capital Asset Approach

§ 1:296 Sick Bank

§ 1:297 Unqualified Earning Potential

§ 1:298 Career Change due to Injuries

§ 1:299 Business Owners

§ 1:300 Professionals

§ 1:301 Established Work History

F. SECTION 99 STRUCTURED JUDGMENTS

§ 1:302 [Section 99 Structured judgments]

§ 1:303 Commentary

G. SECTION 100 APPORTIONMENT

§ 1:304 [Section 100 Apportionment]

IX. PART 7 MINOR INJURIES

A. GENERAL

§ 1:305 Part History

TABLE OF CONTENTS

**B. SECTION 101 DEFINITIONS AND
INTERPRETATION**

§ 1:306 [Section 101 Definitions and interpretation]

§ 1:306.50 Commentary

C. SECTION 102 APPLICATION OF THIS PART

§ 1:307 [Section 102 Application of this Part]

**D. SECTION 103 LIMIT ON NON-PECUNIARY
LOSS FOR MINOR INJURIES**

§ 1:308 [Section 103 Limit on non-pecuniary loss for minor
injuries]

**E. SECTION 104 POWER TO MAKE
REGULATIONS UNDER THIS PART**

§ 1:309 [Section 104 Power to make regulations under this
Part]

X. PART 8

A. GENERAL

§ 1:310 Part History

B. SECTION 105 REPEALED

§ 1:311 [Section 105 Repealed]

C. SECTION 106 REPEALED

§ 1:312 [Section 106 Repealed]

XI. PART 9 PRE-LITIGATION PAYMENTS

A. GENERAL

§ 1:313 Part History

B. SECTION 107 DEFINITIONS

§ 1:314 [Section 107 Definitions]

**C. SECTION 108 OFFER TO MAKE PRE-
LITIGATION PAYMENT**

§ 1:315 [Section 108 Offer to make pre-litigation payment]

D. SECTION 109 PRE-LITIGATION PAYMENT

§ 1:316 [Section 109 Pre-litigation payment]

E. SECTION 110 RESTRICTION ON OFFER OR PRE-LITIGATION PAYMENT

§ 1:317 [Section 110 Restriction on offer or pre-litigation payment]

F. SECTION 111 CONSEQUENCES OF OFFER AND PAYMENT OF PRE-LITIGATION PAYMENT

§ 1:318 [Section 111 Consequences of offer and payment of pre-litigation payment]

G. SECTION 112 NON-DISCLOSURE TO COURT AND DEDUCTION

§ 1:319 [Section 112 Non-disclosure to court and deduction]

XII. PART 10 ENHANCED ACCIDENT BENEFITS AND LIMITS ON ACTIONS AND PROCEEDINGS

A. GENERAL

§ 1:320 Part History

B. DIVISION 1 DEFINITIONS AND APPLICATION

§ 1:321 Division History

§ 1:322 [Section 113 Definitions]

§ 1:323 [Section 114 Application of this Part]

C. DIVISION 2 LIMITS ON ACTIONS AND PROCEEDINGS

§ 1:324 Division History

§ 1:325 [Section 115 No actions or proceedings for bodily injury]

§ 1:326 [Section 116 Exceptions]

D. DIVISION 3 ENTITLEMENT AND MATTERS AFFECTING ENTITLEMENT

§ 1:327 Division History

TABLE OF CONTENTS

§ 1:328	[Section 117 Enhanced accident benefits]
§ 1:329	[Section 118 Enhanced accident benefits for residents]
§ 1:330	[Section 119 Enhanced accident benefits for non-residents]
§ 1:330.50	[Section 119.1 Benefits provided by a certificate]
§ 1:331	[Section 120 Corporation's duty respecting benefits]
§ 1:332	[Section 121 Circumstances in which benefits reduced, suspended or cancelled or in which benefits not paid]
§ 1:333	[Section 122 Other sources]

E. DIVISION 4 HEALTH CARE, REHABILITATION AND RELATED BENEFITS

§ 1:334	Division History
§ 1:335	[Section 123 Health care and related expenses benefit]
§ 1:336	[Section 124 Rehabilitation]
§ 1:337	[Section 125 Other related expenses]
§ 1:338	[Section 126 Recreation benefit]
§ 1:339	[Section 127 Expenses generally]
§ 1:340	[Section 128 Prescribed maximum benefits]

F. DIVISION 5 PERMANENT IMPAIRMENT COMPENSATION

§ 1:341	Division History
§ 1:342	[Section 129 Permanent impairment compensation]
§ 1:343	[Section 130 If insured dies]

G. DIVISION 6 INCOME REPLACEMENT BENEFITS—EARNERS AND NON-EARNERS

§ 1:344	Division History
§ 1:345	[Section 131 Full-time earners]
§ 1:346	[Section 132 Special circumstances]
§ 1:347	[Section 133 Temporary earners and part-time earners]
§ 1:348	[Section 134 Non-earners]

H. DIVISION 7 BENEFITS FOR STUDENTS

§ 1:349	Division History
§ 1:350	[Section 135 Definitions]
§ 1:351	[Section 136 Student entitled to loss-of-studies benefit]

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 1:352 [Section 137 Student entitled to income replacement benefit]
- § 1:353 [Section 138 Benefit for student unable to begin or continue studies]
- § 1:354 [Section 139 Benefit for student able to begin or continue studies]

I. DIVISION 8 BENEFITS FOR MINORS

- § 1:355 Division History
- § 1:356 [Section 140 Definitions]
- § 1:357 [Section 141 Minor entitled to loss-of-studies benefit]
- § 1:358 [Section 142 Minor entitled to income replacement benefit]
- § 1:359 [Section 143 Benefit for minor unable to begin or continue studies]
- § 1:360 [Section 144 Benefit for minor able to begin or continue studies]

J. DIVISION 9 INCOME REPLACEMENT BENEFITS—GENERAL

- § 1:361 Division History
- § 1:362 [Section 145 Persons incapable of holding employment]
- § 1:363 [Section 146 Events that suspend or end entitlement]
- § 1:364 [Section 147 Benefit reduction if person earns reduced income]

K. DIVISION 10 RETIREMENT INCOME BENEFIT

- § 1:365 Division History
- § 1:366 [Section 148 No entitlement for unemployed person 65 years or older]
- § 1:367 [Section 149 When income replacement benefit ceases]
- § 1:368 [Section 150 Retirement income benefit after age 65]

L. DIVISION 11 FAMILY AND CAREGIVER BENEFITS

- § 1:369 Division History
- § 1:370 [Section 151 Reimbursement of expenses respecting family enterprise]

TABLE OF CONTENTS

- § 1:371 [Section 152 Caregiver benefit]
- § 1:372 [Section 153 Reimbursement of expenses for care of other person]

M. DIVISION 12 LIMIT ON BENEFITS

- § 1:373 Division History
- § 1:374 [Section 154 Limit on benefits—subsequent accidents]

N. DIVISION 13 DEATH BENEFITS

- § 1:375 Division History
- § 1:376 [Section 155 Definition]
- § 1:377 [Section 156 Death benefit for spouse]
- § 1:378 [Section 157 Death benefit for dependant]
- § 1:379 [Section 158 Dependent child of deceased with no spouse]
- § 1:380 [Section 159 Entitlement of child and parent of deceased]
- § 1:381 [Section 160 Reimbursement of funeral expenses]
- § 1:382 [Section 161 Grief counselling]

O. DIVISION 14 CATASTROPHIC INJURIES

- § 1:383 Division History
- § 1:384 [Section 162 Facilitation of claims by catastrophically injured]
- § 1:385 [Section 163 Extended benefit for catastrophically injured]

P. DIVISION 15 EXPENSES FOR VOLUNTEERS

- § 1:386 Division History
- § 1:387 [Section 164 Expenses for volunteer]

Q. DIVISION 16 CLAIMS AND DISPUTES

- § 1:388 Division History
- § 1:389 [Section 165 Claims]
- § 1:390 [Section 166 Advance payment]
- § 1:391 [Section 167 Disputes with corporation]

R. DIVISION 17 RECOVERY OF PAID BENEFITS

- § 1:392 Division History
- § 1:393 [Section 168 Corporation may recover benefits]

S. DIVISION 18 REGULATIONS

- § 1:394 Division History

§ 1:395 [Section 169 Power to make regulations under this Part]

XIII. PART 11 BASIC VEHICLE DAMAGE COVERAGE AND LIMITS ON ACTIONS AND PROCEEDINGS

A. GENERAL

§ 1:396 Part History

B. DIVISION 1 DEFINITIONS AND APPLICATION

§ 1:397 Division History

§ 1:398 [Section 170 Definitions]

§ 1:399 [Section 171 Application]

C. DIVISION 2 LIMITS ON ACTIONS

§ 1:400 Division History

§ 1:401 [Section 172 No actions or proceedings for vehicle damage—accident on highway]

§ 1:402 [Section 173 No actions or proceedings for vehicle damage—accident off-highway]

D. DIVISION 3 COVERAGE

§ 1:403 Division History

§ 1:404 [Section 174 Coverage—accident on highway]

§ 1:405 [Section 175 Coverage—accident off-highway]

§ 1:406 [Section 176 Restriction on indemnification]

§ 1:407 [Section 177 Circumstances in which indemnification not paid or in which indemnification reduced]

§ 1:408 [Section 178 Recovery]

§ 1:409 [Section 179 Limiting clause]

E. DIVISION 4 POWER TO MAKE REGULATIONS UNDER THIS PART

§ 1:410 Division History

§ 1:411 [Section 180 Power to make regulations under this Part]

TABLE OF CONTENTS

XIV. PART 12 GENERAL

A. GENERAL

§ 1:412 Part History

**B. DIVISION 1 GENERAL REGULATION—
MAKING POWERS**

§ 1:413 Division History

§ 1:414 [Section 181 Power to make regulations under this
Act]

C. DIVISION 2 REVIEW OF PARTS 10 AND 11

§ 1:415 Division History

§ 1:416 [Section 182 Review by special committee]

**D. DIVISION 3 TRANSITIONAL REGULATION—
MAKING POWERS**

§ 1:417 Division History

§ 1:418 [Section 183 Transitional regulations for *Insurance
(Vehicle) Amendment Act, 2018*]

§ 1:419 [Section 184 Transitional regulations for Parts 10
and 11]

**CHAPTER 1A. MINOR INJURY
REGULATION**

I. GENERAL

§ 1A:1 Amendment History

II. PART 1—DEFINITIONS

§ 1A:2 [Section 1 Definitions]

§ 1A:3 [Section 2 Prescribed injury for definition of “minor
injury”]

§ 1A:4 [Section 3 Prescribed criteria for definition of
“serious impairment”]

**III. PART 2—RULES IN RELATION TO MINOR
INJURIES**

§ 1A:5 [Section 4 Burden of proof]

§ 1A:6 [Section 5 Multiple injuries]

§ 1A:7 [Section 6 Limit on damages for non-pecuniary loss]

IV. PART 3—REGISTERED CARE ADVISORS

- § 1A:8 [Section 7 Registered care advisors]
- § 1A:9 [Section 8 Declaration of registered care advisor]
- § 1A:10 [Section 9 Registered care advisor register]
- § 1A:11 [Section 10 Referral to registered care advisor]
- § 1A:12 [Section 11 Assessment and report by registered care advisor]
- § 1A:13 [Section 12 Restrictions on role of registered care advisor]

V. SCHEDULE DIAGNOSTIC AND TREATMENT PROTOCOLS

- § 1A:14 [Section 1 Definitions]
- § 1A:15 [Section 2 Evidence-informed practice]
- § 1A:16 [Section 3 Developing diagnoses for injuries]
- § 1A:17 [Section 4 Developing diagnoses for pain syndromes and for psychological or psychiatric conditions]
- § 1A:18 [Section 5 Treatment protocols]

CHAPTER 2. INSURANCE (VEHICLE) REGULATION

I. GENERAL

- § 2:1 Amendment History
- § 2:2 Commentary

II. PART 1 INTERPRETATION

A. SECTION 1 INTERPRETATION

1. General

- § 2:3 [Section 1 Interpretation]

2. Commentary

- § 2:4 Generally
- § 2:5 Subs. (1) “actual cash value”
- § 2:6 “bus”
- § 2:7 “collision coverage”
- § 2:8 “combination of vehicles”
- § 2:9 “comprehensive coverage”
- § 2:10 “dependant”, “dependent child”
- § 2:11 “dependent child”

TABLE OF CONTENTS

§ 2:12	“dependent parent”
§ 2:13	“garage service operator”
§ 2:14	“head of household”
§ 2:15	“household”
§ 2:16	“leased vehicle”
§ 2:17	“member of the household”
§ 2:18	“occupant”
§ 2:19	“operate”
§ 2:20	“principal operator”
§ 2:21	“spouse”
§ 2:22	Subs. 1(3)

B. SECTION 1.1 UNIVERSAL COMPULSORY VEHICLE INSURANCE

§ 2:23	[Section 1.1 Universal compulsory vehicle insurance]
--------	--

C. SECTION 2 APPLICATION

§ 2:24	[Section 2 Application]
§ 2:25	Commentary—Subs. (1)(f) “advanced or performance driver training”
§ 2:26	—Subs. (1)(f) “race or speed test”

D. SECTION 2.1 REPEALED

§ 2:27	[Section 2.1 Repealed]
§ 2:28	[Section 2.2 Employment information]

III. PART 2 CERTIFICATES

A. GENERAL

§ 2:29	Part History
--------	--------------

B. SECTION 3 APPLICATION FOR OWNER’S CERTIFICATE

§ 2:30	[Section 3 Application for owner’s certificate]
--------	---

C. SECTION 4 INTERIM OWNER’S CERTIFICATE

§ 2:31	[Section 4 Interim owner’s certificate]
--------	---

D. SECTION 5 REPEALED

§ 2:32	[Section 5 Repealed]
--------	----------------------

E. SECTION 6 RENEWAL OF CERTIFICATE

§ 2:33 [Section 6 Renewal of certificate]

F. SECTION 7 INTERPRETATION ACT

§ 2:34 [Section 7 Interpretation Act]

G. SECTION 8 LEASED VEHICLES

§ 2:35 [Section 8 Leased vehicles]

§ 2:36 Commentary

H. SECTION 9 MID-TERM CHANGES

§ 2:37 [Section 9 Mid-term changes]

§ 2:38 Commentary

**I. SECTION 10 EFFECT OF OWNER'S
CERTIFICATE**

§ 2:39 [Section 10 Effect of owner's certificate]

§ 2:40 Commentary—Subs. (1)

**IV. PART 3 PREMIUMS FOR UNIVERSAL
COMPULSORY VEHICLE INSURANCE**

A. GENERAL

§ 2:41 Part History

B. DIVISION 1 INTERPRETATION

1. Section 11 Interpretation

§ 2:42 [Section 11 Interpretation]

§ 2:43 Commentary—Subs. (1) “chargeable claim payment”

§ 2:44 —“substitute vehicle”

**C. DIVISION 2 PREMIUMS, INTEREST AND
PRIOR DEBT**

1. General

§ 2:45 Division History

2. Section 12 Repealed

§ 2:46 [Section 12 Repealed]

3. Section 13 Repealed

§ 2:47 [Section 13 Repealed]

TABLE OF CONTENTS

§ 2:48	Commentary
	4. Section 14 Repealed
§ 2:49	[Section 14 Repealed]
	5. Section 15 Repealed
§ 2:50	[Section 15 Repealed]
	6. Section 15.1 Repealed
§ 2:51	[Section 15.1 Repealed]
	7. Section 15.2 Interest on Refunds
§ 2:52	[Section 15.2 Interest on refunds]
§ 2:53	[Section 15.21 COVID-19 pandemic rebate]
§ 2:54	[Section 15.22 Enhanced care rebate]
	8. Section 15.3 Repealed
§ 2:55	[Section 15.3 Repealed]
	9. Section 15.4 Rounding of Premiums, Refunds and Discounts
§ 2:56	[Section 15.4 Rounding of premiums, refunds and discounts]
	10. Section 15.41 Premiums Triggered by Accidents Involving Unlisted Drivers
§ 2:57	[Section 15.41 Premiums triggered by accidents involving unlisted drivers]
	11. Section 15.5 Repealed
§ 2:58	[Section 15.5 Repealed]
	12. Section 15.6 Repealed
§ 2:59	[Section 15.6 Repealed]
	13. Section 15.7 Registrant Liable for Prior Debt
§ 2:60	[Section 15.7 Registrant liable for prior debt]
§ 2:61	Commentary—"written demand"
	14. Section 15.71 Interest Recovery on Unpaid Premium
§ 2:62	[Section 15.71 Interest recovery on unpaid premium]
	15. Section 15.72 Default in Arrangement
§ 2:63	[Section 15.72 Default in arrangement]

16. Section 15.73 Liability for Unpaid Amounts

§ 2:64 [Section 15.73 Liability for unpaid amounts]

17. Section 15.8 Service Charge

§ 2:65 [Section 15.8 Service charge]

18. Section 15.9 High-value Vehicle Charge

§ 2:66 [Section 15.9 High-value vehicle charge]

19. Section 15.91 Premium Adjustment
Agreements—Non-Fleet Taxis

§ 2:67 [Section 15.91 Premium adjustment agreements—
non-fleet taxis]

D. DIVISION 3

1. General

§ 2:68 Division History

2. Section 16 Repealed

§ 2:69 [Section 16 Repealed]

3. Section 17 Repealed

§ 2:70 [Section 17 Repealed]

4. Section 18 Repealed

§ 2:71 [Section 18 Repealed]

§ 2:72 Commentary

5. Section 19 Repealed

§ 2:73 [Section 19 Repealed]

§ 2:74 Commentary

6. Section 20 Repealed

§ 2:75 [Section 20 Repealed]

7. Section 21 Repealed

§ 2:76 [Section 21 Repealed]

8. Section 22 Repealed

§ 2:77 [Section 22 Repealed]

9. Section 23 Repealed

§ 2:78 [Section 23 Repealed]

TABLE OF CONTENTS

	10. Section 24 Repealed
§ 2:79	[Section 24 Repealed]
	11. Section 25 Repealed
§ 2:80	[Section 25 Repealed]
	12. Section 26 Repealed
§ 2:81	[Section 26 Repealed]
	13. Section 27 Repealed
§ 2:82	[Section 27 Repealed]
	14. Section 28 Repealed
§ 2:83	[Section 28 Repealed]
	15. Section 29 Repealed
§ 2:84	[Section 29 Repealed]
	E. DIVISION 4 REPEALED
§ 2:85	Repealed
	F. DIVISION 5 REPEALED
§ 2:86	Repealed
	G. DIVISION 6 REPEALED
§ 2:87	Repealed
	V. PART 4 DRIVER'S CERTIFICATES
	A. SECTION 42 INTERPRETATION
§ 2:88	[Section 42 Interpretation]
§ 2:89	Commentary—"insured"
§ 2:90	—"resident"
	B. SECTION 43 CERTIFICATE INCORPORATED IN LICENCE
§ 2:91	[Section 43 Certificate incorporated in licence]
§ 2:92	Commentary—Subs. (1)(a)
	C. SECTION 44 REPEALED
§ 2:93	[Section 44 Repealed]

D. SECTION 44.1 REPEALED

§ 2:94 [Section 44.1 Repealed]

E. SECTION 44.2 REPEALED

§ 2:95 [Section 44.2 Repealed]

F. SECTION 45 NOTICE OF ASSESSMENT

§ 2:96 [Section 45 Notice of assessment]

§ 2:97 Commentary

G. SECTION 45.1 REPEALED

§ 2:98 [Section 45.1 Repealed]

H. SECTION 46 REPEALED

§ 2:99 [Section 46 Repealed]

**I. SECTION 47 ROUNDING AND PRORATING
OF PREMIUMS AND REFUNDS**

§ 2:100 [Section 47 Rounding and prorating of premiums
and refunds]

**J. SECTION 48 APPLICATION OF OTHER
SECTIONS**

§ 2:101 [Section 48 Application of other sections]

K. SECTION 49 INDEMNITY

1. General

§ 2:102 [Section 49 Indemnity]

2. Commentary

§ 2:103 Generally

§ 2:104 Subs. (1)

§ 2:105 Subs. (1)(a)

§ 2:106 “use or operation”

§ 2:107 Subs. (1)(e)

§ 2:108 Subs. (1)(g)

§ 2:109 Subs. (2)

L. SECTION 49.1 LIMIT OF LIABILITY

§ 2:110 [Section 49.1 Limit of liability]

TABLE OF CONTENTS

M. SECTION 49.2 PRIORITY OF CLAIMS

§ 2:111 [Section 49.2 Priority of claims]

N. SECTION 49.3 OTHER COVERAGE

§ 2:112 [Section 49.3 Other coverage]

§ 2:113 Commentary

O. SECTION 50 OTHER INSURANCE

§ 2:114 [Section 50 Other insurance]

P. SECTION 51 REPEALED

§ 2:115 [Section 51 Repealed]

§ 2:116 Commentary—Ss. 49-51

VI. PART 5 CONDITIONS OF CERTIFICATE

A. GENERAL

§ 2:117 Part History

B. SECTION 52 SUBSTITUTE VEHICLES

§ 2:118 [Section 52 Substitute vehicles]

§ 2:119 Commentary

§ 2:120 —Para. (a)

§ 2:121 Para. (b)

C. SECTION 53 RENTER'S COVERAGE

§ 2:122 [Section 53 Renter's coverage]

§ 2:123 Commentary

D. SECTION 54 EXTENSION OF COVERAGE ON SEIZURE

§ 2:124 [Section 54 Extension of coverage on seizure]

E. SECTION 54.1 REPEALED

§ 2:125 [Section 54.1 Repealed]

F. SECTION 55 BREACH OF CONDITIONS

1. General

§ 2:126 [Section 55 Breach of conditions]

2. Commentary

- § 2:127 Generally
- § 2:128 Subs. (2)
- § 2:129 Subs. (2)(a)
- § 2:130 Subs. (2.1)
- § 2:131 Sub. (3)
- § 2:132 Subs. (3)(a)
- § 2:133 Subs. (3)(b)
- § 2:134 Subs. (3)(d)
- § 2:135 Subs. (5)
- § 2:136 Subs. (6)
- § 2:137 Subs. (7.1)
- § 2:138 Subs. (8)
- § 2:139 Subs. (8)(a)
- § 2:140 Subs. (8)(b)
- § 2:141 Subs. (8)(b)(i), (d)
- § 2:142 Subs. (9)
- § 2:143 Cross-References

G. SECTION 56 EXCLUSION

- § 2:144 [Section 56 Exclusion]

H. SECTION 56.1 ADDITIONAL COVERAGE CERTIFICATE

- § 2:145 [Section 56.1 Additional product certificate]

I. SECTION 57 GARAGE EXCLUSION

- § 2:146 [Section 57 Garage exclusion]
- § 2:147 Commentary

J. SECTION 58 REPEALED

- § 2:148 [Section 58 Repealed]
- § 2:149 Subs. (1)(b)(i)

K. SECTION 58.1 FINANCIAL ASSISTANCE

- § 2:150 [Section 58.1 Financial assistance]

L. SECTION 59 WAIVER OF TERM OR CONDITION

- § 2:151 [Section 59 Waiver of term or condition]
- § 2:152 Commentary—Subs. (2)

TABLE OF CONTENTS

M. SECTION 60 EX GRATIA PAYMENTS

- § 2:153 [Section 60 Ex gratia payments]
- § 2:154 Commentary

N. SECTION 61 EXTRAPROVINCIAL UNDERTAKINGS

- § 2:155 [Section 61 Extraprovincial undertakings]

O. SECTION 62 REPEALED

- § 2:156 [Section 62 Repealed]
- § 2:157 Commentary

P. SECTION 62.1 OTHER INSURANCE

- § 2:158 [Section 62.1 Other insurance]

Q. SECTION 62.2 EXCLUSION FROM CERTIFICATE COVERAGE

- § 2:159 [Section 62.2 Exclusion from certificate coverage]

VII. PART 6 THIRD PARTY LIABILITY INSURANCE COVERAGE

A. GENERAL

- § 2:160 Part History

B. SECTION 63 INTERPRETATION

1. General

- § 2:161 [Section 63 Interpretation]

2. Commentary

- § 2:162 Generally
- § 2:163 “insured”
- § 2:164 “insured” para. (a)
- § 2:165 “insured” para. (b):
- § 2:166 “insured” para. (d)
- § 2:167 Cross-References

C. SECTION 64 INDEMNITY

1. General

- § 2:168 [Section 64 Indemnity]

2. Commentary

- § 2:169 Generally
- § 2:170 Para. (a)
- § 2:171 Cross-References
- § 2:172 Para. (b)

D. SECTION 64.1 REPEALED

- § 2:173 [Section 64.1 Repealed]

E. SECTION 65 EXTENSION OF INDEMNITY

- § 2:174 [Section 65 Extension of indemnity]
- § 2:175 Commentary
- § 2:176 —Subs. (2)(d)

F. SECTION 66 EXTENSION OF INDEMNITY TO PASSENGER

- § 2:177 [Section 66 Extension of indemnity to passenger]
- § 2:178 Commentary

G. SECTION 67 LIMIT OF LIABILITY

- § 2:179 [Section 67 Limit of liability]
- § 2:180 Commentary

H. SECTION 67.1 LIMIT OF LIABILITY—LOANS AND ADVANCE PAYMENTS

- § 2:181 [Section 67.1 Limit of liability—loans and advance payments]
- § 2:182 [Section 67.2 Prescribed circumstance]

I. SECTION 68 PRIORITY OF CLAIMS

- § 2:183 [Section 68 Priority of claims]

J. SECTION 69 ADDITIONAL PAYMENTS

- § 2:184 [Section 69 Additional payments]
- § 2:185 Commentary
- § 2:186 —Para. (c)
- § 2:187 —Para. (d)

K. SECTION 70 COMBINATION OF VEHICLES

- § 2:188 [Section 70 Combination of vehicles]

TABLE OF CONTENTS

§ 2:189 Commentary

§ 2:190 —Subs. (2)

L. SECTION 71 TRAILERS

§ 2:191 [Section 71 Trailers]

§ 2:192 Commentary

M. SECTION 72 RESTRICTIONS ON INDEMNITY—ATTACHED EQUIPMENT

1. General

§ 2:193 [Section 72 Restrictions on indemnity—attached equipment]

2. Commentary

§ 2:194 Generally

§ 2:195 Subs. (1), (2)

§ 2:196 Subs. (2)

§ 2:197 Subs. (2)(d)

§ 2:198 Cross-References

N. SECTION 72.1 RESTRICTIONS ON INDEMNITY

§ 2:199 [Section 72.1 Restrictions on indemnity]

§ 2:200 Commentary

§ 2:201 —Subss. (3), (4)

O. SECTION 73 DUTIES OF INSURED

1. General

§ 2:202 [Section 73 Duties of insured]

2. Commentary

§ 2:203 Generally

§ 2:204 Subs. (1)

§ 2:205 Subs. (1)(c)

§ 2:206 Subs. (2)

P. SECTION 74 DUTIES OF CORPORATION

§ 2:207 [Section 74 Duties of corporation]

§ 2:208 Commentary

§ 2:209 —Para. (a)

§ 2:210 —Para. (b)

Q. SECTION 74.1 RIGHTS OF CORPORATION

- § 2:211 [Section 74.1 Rights of corporation]
- § 2:212 Commentary
- § 2:213 Para. (b)
- § 2:214 Para. (d)

R. SECTION 75 APPOINTMENT OF ATTORNEY

- § 2:215 [Section 75 Appointment of attorney]

S. SECTION 76 LIMITATION

- § 2:216 [Section 76 Limitation]

T. SECTION 77 OTHER INSURANCE

- § 2:217 [Section 77 Other insurance]
- § 2:218 Commentary

VIII. PART 7 ACCIDENT BENEFITS

A. SECTION 78 INTERPRETATION

1. General

- § 2:219 [Section 78 Interpretation]

2. Commentary

- § 2:220 Part 7 benefits, generally
- § 2:221 “employed person”
- § 2:222 “homemaker”
- § 2:223 “insured”
- § 2:224 “medical practitioner”
- § 2:225 “occupant”
- § 2:226 “owner’s certificate”
- § 2:227 “physiotherapist”
- § 2:228 “rehabilitation”
- § 2:229 “resident of the Province”
- § 2:230 “spouse”

B. SECTION 78.01 APPLICATION OF PART

- § 2:231 [Section 78.01 Application of Part]

C. SECTION 79 COVERAGE AND BENEFITS

1. General

- § 2:232 [Section 79 Coverage and benefits]

TABLE OF CONTENTS

2. Commentary

§ 2:233 “accident that arises out of the use or operation of a vehicle”

§ 2:234 “insured person”

D. SECTION 80 DISABILITY BENEFITS FOR EMPLOYED PERSONS

§ 2:235 [Section 80 Disability benefits for employed persons]

§ 2:236 Commentary—Generally

§ 2:237 —“gross earnings”

§ 2:238 —“totally disables an insured”

E. SECTION 81 DEDUCTION OF OTHER BENEFITS

§ 2:239 [Section 81 Deduction of other benefits]

§ 2:240 Commentary

F. SECTION 81.1 EMPLOYMENT DURING TOTAL DISABILITY

§ 2:241 [Section 81.1 Employment during total disability]

§ 2:242 Commentary

G. SECTION 82 PAYMENTS UNDER *WORKERS COMPENSATION ACT*

§ 2:243 [Section 82 Payments under *Workers Compensation Act*]

§ 2:244 Commentary

H. SECTION 83 UNEMPLOYMENT BENEFITS

§ 2:245 [Section 83 Unemployment benefits]

§ 2:246 Commentary

I. SECTION 84 DISABILITY BENEFITS TO HOMEMAKERS

§ 2:247 [Section 84 Disability benefits to homemakers]

§ 2:248 Commentary

§ 2:249 —Subs. (1)

§ 2:250 —Subs. (2)

J. SECTION 85 WAITING PERIOD

§ 2:251 [Section 85 Waiting period]

K. SECTION 86 DISABILITY BEYOND 104 WEEKS

1. General

§ 2:252 [Section 86 Disability beyond 104 weeks]

2. Commentary

§ 2:253 ‘Revival’ of Disability Benefits

§ 2:254 Subs. (1)

§ 2:255 Subs. (2)

§ 2:256 Subs. (4)

L. SECTION 87 REVIEW OF BENEFITS

§ 2:257 [Section 87 Review of benefits]

§ 2:258 Commentary

M. SECTION 88 MEDICAL OR REHABILITATION BENEFITS

1. General

§ 2:259 [Section 88 Medical or rehabilitation benefits]

2. Commentary

§ 2:260 Legislative History

§ 2:261 “physical therapy”

§ 2:262 Subs. (1)

§ 2:263 Subs. (1.01)

§ 2:264 Subs. (2)

§ 2:265 Subs. (2)(c)

§ 2:266 Subss. (2)(c), (2)(f)

§ 2:267 Subs. (3)

§ 2:268 Subs. (6)

§ 2:269 Subs. (8)

§ 2:270 Cross reference

N. SECTION 89 ARBITRATION

§ 2:271 [Section 89 Arbitration]

§ 2:272 Commentary—Legislative History

TABLE OF CONTENTS

O. SECTION 90 POWER TO TERMINATE
BENEFITS FOR REFUSAL TO UNDERGO
TREATMENT OR TRAINING

- § 2:273 [Section 90 Power to terminate benefits for refusal
to undergo treatment or training]
§ 2:274 Commentary
§ 2:275 —Subs. (2)

P. SECTION 91 FUNERAL EXPENSES

- § 2:276 [Section 91 Funeral expenses]
§ 2:277 Commentary

Q. SECTION 92 DEATH BENEFITS

1. General

- § 2:278 [Section 92 Death benefits]

2. Commentary

- § 2:279 Generally
§ 2:280 Subs. (1) “dependent child”
§ 2:281 Cross-References
§ 2:282 “head of household”
§ 2:283 Subs. (2)

R. SECTION 93 REPEALED

- § 2:284 [Section 93 Repealed]
§ 2:285 Commentary

S. SECTION 94 REPEALED

- § 2:286 [Section 94 Repealed]
§ 2:287 Commentary

T. SECTION 95 SIXTY DAY RULE AND
COMMON DISASTER

- § 2:288 [Section 95 Sixty day rule and common disaster]

U. SECTION 96 RESTRICTION ON BENEFITS

1. General

- § 2:289 [Section 96 Restriction on benefits]

2. Commentary

- § 2:290 Generally

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 2:291 Para. (a)
- § 2:292 Para. (b)(i)
- § 2:293 Para. (b)(iii)
- § 2:294 Para. (c)
- § 2:295 Para. (e)
- § 2:296 Para. (f)

V. SECTION 97 NOTICE OF CLAIM

- § 2:297 [Section 97 Notice of claim]
- § 2:298 Commentary—Subs. (1)
- § 2:299 —Subs. (1)(c)
- § 2:300 —Subs. (2)

W. SECTION 97.1 REPEALED

- § 2:301 [Section 97.1 Repealed]

X. SECTION 98 MEDICAL CERTIFICATES

- § 2:302 [Section 98 Medical certificates]
- § 2:303 Commentary

Y. SECTION 99 MEDICAL EXAMINATION

- § 2:304 [Section 99 Medical examination]
- § 2:305 Commentary

Z. SECTION 100 AUTOPSY

- § 2:306 [Section 100 Autopsy]

AA. SECTION 101 TIME OF PAYMENT

- § 2:307 [Section 101 Time of payment]
- § 2:308 Commentary

BB. SECTION 102 ALTERATION OF TERM OF PAYMENT

- § 2:309 [Section 102 Alteration of term of payment]

CC. SECTION 103 LIMITATION

1. General

- § 2:310 [Section 103 Limitation]

2. Commentary

- § 2:311 Generally

TABLE OF CONTENTS

§ 2:312 Para. (1)(a)

§ 2:313 Para. (1)(b)

DD. SECTION 104 OTHER INSURANCE

§ 2:314 [Section 104 Other insurance]

§ 2:315 Subs. (2)

EE. SECTION 104.1 TRANSITIONAL—
DISABILITY BENEFITS, FUNERAL
EXPENSES AND DEATH BENEFITS

§ 2:316 [Section 104.1 Transitional—disability benefits,
funeral expenses and death benefits]

FF. SECTION 104.2 TRANSITIONAL—MEDICAL
OR REHABILITATION BENEFITS

§ 2:317 [Section 104.2 Transitional—medical or
rehabilitation benefits]

GG. SECTION 104.3 TRANSITIONAL—
LIMITATION

§ 2:318 [Section 104.3 Transitional—limitation]

**IX. PART 8 THIRD PARTY RIGHTS OCCASIONED
BY UNINSURED OR UNIDENTIFIED
MOTORISTS**

A. SECTION 105 LIMIT OF LIABILITY

§ 2:319 [Section 105 Limit of liability]

§ 2:320 Commentary

B. SECTION 106 EXCLUSION OF OTHER
INSURED LOSS

1. General

§ 2:321 [Section 106 Exclusion of other insured loss]

2. Commentary

§ 2:322 Generally

§ 2:323 Subs. (1)

§ 2:324 Subs. (2)

C. SECTION 107 CONDITIONS OF LIABILITY

§ 2:325 [Section 107 Conditions of liability]

§ 2:326 Commentary

D. SECTION 108 FORMS

§ 2:327 [Section 108 Forms]

X. PART 9 [REPEALED]

§ 2:328 Part History

§ 2:329 Division 1 [Repealed]

§ 2:330 Section 109 [Repealed]

§ 2:331 Sections 110 to 112 [Repealed]

§ 2:332 Division 2 [Repealed]

§ 2:333 Section 113 to 115 [Repealed]

§ 2:334 Section 116 to 117 [Repealed]

§ 2:335 Section 118 to 131 [Repealed]

§ 2:336 Section 132 [Repealed]

§ 2:337 Section 133 to 135 [Repealed]

§ 2:338 Section 136 [Repealed]

§ 2:339 Section 137 to 146 [Repealed]

§ 2:340 Divisions 3 and 4 [Repealed]

XI. PART 10 FIRST PARTY COVERAGE

**A. DIVISION 1 INVERSE LIABILITY AND
UNINSURED OR HIT AND RUN ACCIDENTS
OUTSIDE BRITISH COLUMBIA**

§ 2:341 Division History

§ 2:342 Commentary

B. SECTION 147 INVERSE LIABILITY

§ 2:343 [Section 147 Inverse liability]

C. SECTION 148 REPEALPED

1. General

§ 2:344 [Section 148 Repealed]

2. Commentary

§ 2:345 Generally

§ 2:346 Subs. (1) “unidentified vehicle”

§ 2:347 Subs. (2)

§ 2:348 Subs. (8)

TABLE OF CONTENTS

§ 2:349	[Section 148.01 Transition—uninsured or hit and run accident in Nunavut, Yukon, Northwest Territories or United States of America]
D. DIVISION 2 UNDERINSURED MOTORIST PROTECTION	
1. Section 148.1 Underinsured Motorist Protection	
a. General	
§ 2:350	[Section 148.1 Underinsured motorist protection]
b. Commentary	
§ 2:351	S. 148.1 generally
§ 2:352	Subs. (1) “deductible amount”
§ 2:353	Subs. (1) “insured”
§ 2:354	Subs. (1) “underinsured motorist”
§ 2:355	Subs. (2)
§ 2:356	Subs. (5)
§ 2:357	Subs. (9)
2. Section 148.2 Restrictions on Liability	
§ 2:358	[Section 148.2 Restrictions on liability]
§ 2:359	Commentary
3. Section 148.3 Underinsured Motorist Protection for other Certificate Holders	
§ 2:360	[Section 148.3 Underinsured motorist protection for other certificate holders]
4. Section 148.4 Excluded Vehicles	
§ 2:361	[Section 148.4 Excluded vehicles]
5. Section 148.5—148.6 Repealed	
§ 2:362	[Section 148.5—148.6 Repealed]
6. Section 148.7 Repealed	
§ 2:363	[Section 148.7 Repealed]
XII. PART 11 ADDITIONAL PRODUCT CERTIFICATES	
A. GENERAL	
§ 2:364	Part History

**B. DIVISION 1 ADDITIONAL PRODUCT
CERTIFICATES OTHER THAN BLANKET
CERTIFICATES**

1. General

§ 2:365 Division History

2. Section 149 Compulsory Special Coverages

§ 2:366 [Section 149 Compulsory special coverages]

**3. Section 150 Compulsory Special Coverages
for Garage Certificate**

§ 2:367 [Section 150 Compulsory special coverages for
garage certificate]

§ 2:368 Commentary

§ 2:369 Subs. (1)(b)

§ 2:370 Subs. (6)

**4. Section 150.1 Garage Certificates are
Primary Insurance**

§ 2:371 [Section 150.1 Garage certificates are primary
insurance]

5. Section 151 Coverage for Unnamed Owner

§ 2:372 [Section 151 Coverage for unnamed owner]

6. Section 152 Repealed

§ 2:373 [Section 152 Repealed]

7. Section 153 Repealed

§ 2:374 [Section 153 Repealed]

§ 2:375 Commentary—“replacement cost endorsement”

8. Section 154 Repealed

§ 2:376 [Section 154 Repealed]

C. DIVISION 2 TNS BLANKET CERTIFICATES

1. General

§ 2:377 Division History

**2. Section 154.1 Definitions for Divisions 2 and
3**

§ 2:378 [Section 154.1 Definitions for Divisions 2 and 3]

TABLE OF CONTENTS

	3. Section 154.2 Issuance of TNS Blanket Certificate
§ 2:379	[Section 154.2 Issuance of TNS blanket certificate]
	4. Section 154.3 Coverage Provided by TNS Blanket Certificate
§ 2:380	[Section 154.3 Coverage provided by TNS blanket certificate]
	5. Section 154.4 When Coverage Provided by TNS Blanket Certificate Applies
§ 2:381	[Section 154.4 When coverage provided by TNS blanket certificate applies]
	6. Section 154.5 Rules if 2 or More TNS Blanket Certificates Would Provide Coverage
§ 2:382	[Section 154.5 Rules if 2 or more TNS blanket certificates would provide coverage]
	7. Section 154.6 TNS Blanket Certificate Premium Adjustment
§ 2:383	[Section 154.6 TNS blanket certificate premium adjustment]
	D. DIVISION 3 P2P BLANKET CERTIFICATES
	1. General
§ 2:384	Division History
	2. Section 154.7 Definitions for Division 3
§ 2:385	[Section 154.7 Definitions for Division 3]
	3. Section 154.8 Peer-to-Peer Service Providers Prescribed
§ 2:386	[Section 154.8 Peer-to-peer service providers prescribed]
	4. Section 154.9 Issuance of P2P Blanket Certificate
§ 2:387	[Section 154.9 Issuance of P2P blanket certificate]
	5. Section 154.91 Coverage Provided by P2P Blanket Certificate
§ 2:388	[Section 154.91 Coverage provided by P2P blanket certificate]

6. Section 154.92 When Coverage Provided by P2P Blanket Certificate applies

§ 2:389 [Section 154.92 When coverage provided by P2P blanket certificate applies]

7. Section 154.93 Rules if 2 or More P2P Blanket Certificates Would Provide Coverage

§ 2:390 [Section 154.93 Rules if 2 or more P2P blanket certificates would provide coverage]

8. Section 154.94 P2P Blanket Certificate Premium Adjustment

§ 2:391 [Section 154.94 P2P blanket certificate premium adjustment]

XIII. PART 12 FLEETPLAN

A. SECTION 155 INTERPRETATION

§ 2:392 [Section 155 Interpretation]

B. SECTION 156 FLEETPLAN APPLICATION

§ 2:393 [Section 156 Fleetplan application]

C. SECTION 157 DESIGNATION OF FLEET OPERATOR AND FLEET IDENTITY NUMBER

§ 2:394 [Section 157 Designation of fleet operator and fleet identity number]

D. SECTION 158 DISCLOSURE OF FLEET IDENTITY NUMBER

§ 2:395 [Section 158 Disclosure of fleet identity number]

E. SECTION 159 CONTINUATION

§ 2:396 [Section 159 Continuation]

F. SECTION 160 CANCELLATION

§ 2:397 [Section 160 Cancellation]

G. SECTION 161 RESPONSIBILITY OF FLEET OPERATOR

§ 2:398 [Section 161 Responsibility of fleet operator]

TABLE OF CONTENTS

H. SECTION 162 DESIGNATED EXPIRY MONTH

§ 2:399 [Section 162 Designated expiry month]

I. SECTION 163 REPEALED

§ 2:400 [Section 163 Repealed]

J. SECTION 164 REPEALED

§ 2:401 [Section 164 Repealed]

K. SECTION 165 POWER OF ATTORNEY

§ 2:402 [Section 165 Power of attorney]

L. SECTION 166 CANCELLATION OF
INSURANCE ON BANKRUPTCY OR
WINDING UP

§ 2:403 [Section 166 Cancellation of insurance on
bankruptcy or winding up]

M. SECTION 167 FLEET PREMIUM
ADJUSTMENT

§ 2:404 [Section 167 Fleet premium adjustment]

N. SECTION 168 FLEET REPORTING POLICY

§ 2:405 [Section 168 Fleet reporting policy]

**XIV. PART 13 OPTIONAL INSURANCE
CONTRACTS**

A. GENERAL

§ 2:406 Part History

B. SECTION 169 APPLICATION OF TERMS AND
CONDITIONS

§ 2:407 [Section 169 Application of terms and conditions]

§ 2:408 Commentary

C. SECTION 170 WHAT MUST BE PRINTED ON
AN EXTENSION POLICY

§ 2:409 [Section 170 What must be printed on an extension
policy]

**D. SECTION 170.1 ROUNDING OF PREMIUMS
AND REFUNDS**

§ 2:410 [Section 170.1 Rounding of premiums and refunds]

**E. SECTION 171 EXTENDED UNDERINSURED
MOTORIST PROTECTION**

§ 2:411 [Section 171 Extended underinsured motorist
protection]

**F. SECTION 172 PAYMENT OF COSTS AND
INTEREST**

§ 2:412 [Section 172 Payment of costs and interest]

G. SECTION 173 RIGHTS OF INSURER

§ 2:413 [Section 173 Rights of insurer]

**H. SECTION 174 EXCEPTIONS FROM
LIABILITY**

§ 2:414 [Section 174 Exceptions from liability]

I. SECTION 175 NUCLEAR ENERGY HAZARDS

§ 2:415 [Section 175 Nuclear energy hazards]

**J. SECTION 176 DISPUTES ABOUT VEHICLE
LOSS OR DAMAGE**

§ 2:416 [Section 176 Disputes about vehicle loss or
damage]

K. SECTION 177 ARBITRATION PROCESS

§ 2:417 [Section 177 Arbitration process]

§ 2:418 Commentary

L. SECTION 178 PRIORITY OF CLAIMS

§ 2:419 [Section 178 Priority of claims]

M. SECTION 179 OTHER PRIORITIES

§ 2:420 [Section 179 Other priorities]

§ 2:421 Commentary

TABLE OF CONTENTS

XV. PART 14 VEHICLE ACTIONS

A. GENERAL

§ 2:422 Part History

B. SECTION 180 NET INCOME LOSS

§ 2:423 [Section 180 Net income loss]

§ 2:424 Commentary

XVI. PART 15 LESSOR LIABILITY

A. GENERAL

§ 2:425 Part History

**B. SECTION 181 LESSORS OF TAXIS, BUSES
AND LIMOUSINE USE VEHICLES TO WHOM
LIABILITY LIMIT IN SECTION 82.1 OF ACT
DOES NOT APPLY**

§ 2:426 [Section 181 Lessors of taxis, buses and limousine
use vehicles to whom liability limit in section 82.1
of Act does not apply]

**CHAPTER 3. NOTICE TO MEDIATE
REGULATION**

I. GENERAL

§ 3:1 Amendment History

II. SECTION 1 DEFINITIONS

A. GENERAL

§ 3:2 [Section 1 Definitions]

B. COMMENTARY

§ 3:3 General

§ 3:4 “designated action”

§ 3:5 “mediation”

§ 3:6 “mediation session”

III. SECTIONS 2 TO 14

§ 3:7 [Section 2 Delivery of Notice to Mediate]

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 3:8 Commentary
- § 3:9 [Section 3 Attendance at mediation]
- § 3:10 [Section 4 Exemption from mediation]
- § 3:11 Commentary
- § 3:12 [Section 5 Scheduling of mediation session]
- § 3:13 [Section 6 Appointment of mediator]
- § 3:14 [Section 7 Selection of mediator if participants are
 unable to agree]
- § 3:15 [Section 8 Pre-mediation disclosure of information]
- § 3:16 [Section 9 Fee declaration]
- § 3:17 [Section 10 Conduct of a mediation]
- § 3:18 [Section 11 Declaration of Default]
- § 3:19 Commentary
- § 3:20 [Section 12 Effect of a Declaration of Default]
- § 3:21 Commentary
- § 3:22 —Subs. (1)(f)
- § 3:23 [Section 13 Confidentiality and compellability]
- § 3:24 Commentary
- § 3:25 [Section 14 Concluding a mediation]
- § 3:26 Commentary

IV. FORMS

- § 3:27 [Form 1]
- § 3:28 [Form 2]
- § 3:29 [Form 3]
- § 3:30 [Form 4]
- § 3:31 [Form 5]

V. SCHEDULE REPEALED

- § 3:32 [Schedule Repealed]

VI. COMMENTARY

- § 3:33 Regulation generally

CHAPTER 4. SCHEDULES

- § 4:1 Amendment History
- § 4:2 [Schedule 1 Table 2—Vehicle Rate Classes]
- § 4:3 [Schedule 2 Repealed]
- § 4:4 [Schedule 3 Limits of Coverage]
- § 4:5 [Schedule 3.1 Health Care Services, Fee Limits and
 Pre-Authorized Treatments]
- § 4:6 [Schedule 4 Prescribed Forms]
- § 4:7 [Schedule 4.1 Prescribed Forms]

TABLE OF CONTENTS

§ 4:8	[Schedule 5 Repealed]
§ 4:9	[Schedule 6 Repealed]
§ 4:10	[Schedule 7 Repealed]
§ 4:11	[Schedule 8 Repealed]
§ 4:12	[Schedule 9 Repealed]
§ 4:13	[Schedule 10 Prescribed Conditions]

Volume 2

PART II. INSURANCE CORPORATION ACT

CHAPTER 5. INSURANCE CORPORATION ACT

I. GENERAL

§ 5:1	Amendment History
§ 5:2	Commentary

A. SECTION 1 DEFINITIONS

§ 5:3	[Section 1 Definitions]
§ 5:4	Commentary
§ 5:5	—“adjuster/agent”
§ 5:6	—“corporation”

II. PART 1—OPERATION OF CORPORATION

A. GENERAL

§ 5:7	Part History
-------	--------------

B. SECTION 2 CORPORATIONS CONTINUED

§ 5:8	[Section 2 Corporations Continued]
-------	------------------------------------

C. SECTION 3 DIRECTORS

§ 5:9	[Section 3 Directors]
§ 5:10	Commentary

D. SECTION 4 PRESIDENT, GENERAL MANAGER AND STAFF

§ 5:11	[Section 4 President, general manager and staff]
--------	--

E. SECTION 4.1 JOINT MANAGEMENT AGREEMENT

§ 5:12 [Section 4.1 Joint management agreement]

§ 5:13 Commentary

F. SECTION 5 TRANSFERRED EMPLOYEES' PENSIONS AND BENEFITS

§ 5:14 [Section 5 Transferred employees' pensions and benefits]

G. SECTION 6 HEAD OFFICE AND BRANCH OFFICES

§ 5:15 [Section 6 Head office and branch offices]

H. SECTION 7 OBJECTS, POWER AND CAPACITY

1. General

§ 5:16 [Section 7 Objects, power and capacity]

2. Commentary

§ 5:17 Generally

I. SECTION 8 SPECIAL AUTHORIZATION

§ 5:18 [Section 8 Special authorization]

J. SECTION 8.1 RECORDS AND PROOF

§ 5:19 [Section 8.1 Records and proof]

K. SECTION 8.2 CORPORATION TO MAINTAIN ACCOUNTS

§ 5:20 [Section 8.2 Corporation to maintain accounts]

L. SECTION 8.3 DIRECTORS TO ACCOUNT FOR INCOME AND EXPENDITURES

§ 5:21 [Section 8.3 Directors to account for income and expenditures]

M. SECTION 8.4 RESERVE

§ 5:22 [Section 8.4 Reserve]

TABLE OF CONTENTS

N. SECTION 9 ADDITIONAL POWERS

- § 5:23 [Section 9 Additional powers]
- § 5:24 Commentary

O. SECTION 9.1 COSTS INCURRED FOR
DAMAGED VEHICLE

- § 5:25 [Section 9.1 Costs incurred for damaged vehicle]

P. SECTION 9.2 APPOINTMENT OF AGENTS

- § 5:26 [Section 9.2 Appointment of agents]
- § 5:27 Commentary

Q. SECTION 9.3 REPEALED

- § 5:28 [Section 9.3 Repealed]
- § 5:29 Commentary

R. SECTION 10 CONTRACTS

- § 5:30 [Section 10 Contracts]

S. SECTION 11 SIGNATURES

- § 5:31 [Section 11 Signatures]

T. SECTION 12 CORPORATION AS AGENT

- § 5:32 [Section 12 Corporation as agent]
- § 5:33 Commentary

U. SECTION 13 CORPORATION AN AGENT OF
THE GOVERNMENT

- § 5:34 [Section 13 Corporation an agent of the government]
- § 5:35 Commentary
- § 5:36 —Subs. (2)

V. SECTION 14 GRANTS IN PLACE OF TAXES

- § 5:37 [Section 14 Grants in place of taxes]

W. SECTION 15 TEMPORARY BORROWING
AND GUARANTEE OF GOVERNMENT

- § 5:38 [Section 15 Temporary borrowing and guarantee of
government]

**X. SECTION 16 ADVANCES FROM
CONSOLIDATED REVENUE FUND**

§ 5:39 [Section 16 Advances from consolidated revenue
fund]

**Y. SECTION 17 CORPORATION'S COSTS FOR
SERVICES UNDER OTHER ENACTMENTS**

§ 5:40 [Section 17 Corporation's costs for services under
other enactments]

Z. SECTION 18 BORROWING POWER

§ 5:41 [Section 18 Borrowing power]

AA. SECTION 19 FORM, ETC., OF SECURITIES

§ 5:42 [Section 19 Form, etc., of securities]

BB. SECTION 20 GOVERNMENT GUARANTEE

§ 5:43 [Section 20 Government guarantee]

CC. SECTION 21 MONEY OF CORPORATION

§ 5:44 [Section 21 Money of corporation]

§ 5:45 Commentary

DD. SECTION 22 MONEY IN SAFEKEEPING

§ 5:46 [Section 22 Money in safekeeping]

**EE. SECTION 22.1 FISCAL YEAR OF
CORPORATION**

§ 5:47 [Section 22.1 Fiscal year of corporation]

FF. SECTION 23 REPORTS

§ 5:48 [Section 23 Reports]

**GG. SECTION 24 REPORT TO
SUPERINTENDENT**

§ 5:49 [Section 24 Report to superintendent]

**HH. SECTION 25 INSPECTION BY
COMPTROLLER GENERAL**

§ 5:50 [Section 25 Inspection by Comptroller General]

TABLE OF CONTENTS

II. SECTION 26 REPEALED

§ 5:51 [Section 26 Repealed]

JJ. SECTION 27 ADDITIONAL REPORTS

§ 5:52 [Section 27 Additional reports]

KK. SECTION 28 EXCESS OF LIABILITIES

§ 5:53 [Section 28 Excess of liabilities]

LL. SECTION 29 INVESTMENTS

§ 5:54 [Section 29 Investments]

MM. SECTION 30 LIMITATION OF ACTIONS

§ 5:55 [Section 30 Limitation of actions]

§ 5:56 Commentary—Subs. (2)

§ 5:57 —Subs. (3)

NN. SECTION 31 REQUIREMENT TO INSURE
WITH CORPORATION

§ 5:58 [Section 31 Requirement to insure with corporation]

OO. SECTION 32 PERMISSION TO INSURE
WITH CORPORATION

§ 5:59 [Section 32 Permission to insure with corporation]

PP. SECTION 33 MORTGAGOR'S RIGHTS

§ 5:60 [Section 33 Mortgagor's rights]

QQ. SECTION 34 INFORMATION

§ 5:61 [Section 34 Information]

RR. SECTION 35 EDUCATION AND RESEARCH

§ 5:62 [Section 35 Education and research]

SS. SECTION 36 REPEALED

1. General

§ 5:63 [Section 36 Repealed]

2. Commentary

§ 5:64 Generally

TT. SECTION 37 AGREEMENTS

§ 5:65 [Section 37 Agreements]

UU. SECTION 38 INITIAL ADVANCE

§ 5:66 [Section 38 Initial advance]

§ 5:67 Commentary

VV. SECTION 39 APPLICATION OF THE
FINANCIAL INSTITUTIONS ACT

§ 5:68 [Section 39 Application of the *Financial Institutions Act*]

WW. SECTION 40 APPLICATION OF *BUSINESS
CORPORATIONS ACT*

§ 5:69 [Section 40 Application of *Business Corporations Act*]

XX. SECTION 41 POWER TO MAKE
REGULATIONS

§ 5:70 [Section 41 Repealed]

YY. SECTION 42 TRANSITION FOR TRAFFIC
VICTIMS INDEMNITY FUND

§ 5:71 [Section 42 Transition for Traffic Victims Indemnity Fund]

**III. PART 2—REGULATION OF THE
CORPORATION**

A. GENERAL

§ 5:72 Part History

B. DIVISION 1—INTERPRETATION

1. General

§ 5:73 Division History

2. Section 43 Interpretation

§ 5:74 [Section 43 Interpretation]

TABLE OF CONTENTS

C. DIVISION 2—ROLE OF THE BRITISH
COLUMBIA UTILITIES COMMISSION

1. General

§ 5:75 Part History

2. Section 44 *Utilities Commission Act* to Apply

§ 5:76 [Section 44 *Utilities Commission Act* to apply]

§ 5:77 Commentary

3. Section 45 Regulation of Universal
Compulsory Vehicle Insurance

§ 5:78 [Section 45 Regulation of universal compulsory
vehicle insurance]

4. Section 46 Reserve Funds

§ 5:79 [Section 46 Reserve funds]

5. Section 47 Commission Subject to Direction

§ 5:80 [Section 47 Commission subject to direction]

§ 5:81 Commentary

6. Section 48 Limitation

§ 5:82 [Section 48 Limitation]

D. DIVISION 3—COMPETITION REGULATION

1. General

§ 5:83 Part History

2. Section 49 Separation of Businesses

§ 5:84 [Section 49 Separation of businesses]

3. Section 50 *Regulation of Competition*

§ 5:85 [Section 50 *Regulation of competition*]

4. Section 51 Regulations Respecting
Competition

§ 5:86 [Section 51 Regulations respecting competition]

5. Section 52 Exemption

§ 5:87 [Section 52 Exemption]

6. Section 53 Corporation Retains Defences

§ 5:88 [Section 53 Corporation retains defences]

IV. PART 3—FAIRNESS OFFICER

- § 5:89 Part History
- § 5:90 [Section 54 Definitions]
- § 5:91 [Section 55 Appointment of fairness officer and staff]
- § 5:92 [Section 56 Powers and duties of fairness officer]
- § 5:93 [Section 57 Restrictions on jurisdiction]
- § 5:94 [Section 58 Rules respecting practices and procedures]
- § 5:95 [Section 59 Report to corporation]
- § 5:96 [Section 60 Publication of information]
- § 5:97 [Section 61 Corporation report]
- § 5:98 [Section 62 Personal information]
- § 5:99 [Section 63 Compulsion protection]

V. PART 4—POWER TO MAKE REGULATIONS

- § 5:100 Part History
- § 5:101 [Section 64 Power to make regulations]

CHAPTER 6. REGULATIONS

- § 6:1 B.C. Reg. 322/2003—Application of Legislation Regulation
- § 6:2 B.C. Reg. 153/73—Exclusion Regulation
- § 6:3 B.C. Reg. 140/2007—Permitted Cost of Personalized Number Plate Fees in Motor Vehicle Fees Regulation
- § 6:4 B.C. Reg. 127/2009—Permitted Cost of Services (Canadian Citizenship Indication) Regulation

PART III. FINANCIAL INSTITUTIONS ACT

CHAPTER 7. FINANCIAL INSTITUTIONS ACT

I. GENERAL

- § 7:1 Amendment History
- § 7:2 Act, generally

TABLE OF CONTENTS

II. PART 3 BUSINESS AUTHORIZATION AND BUSINESS

A. DIVISION 4 INSURANCE BUSINESS, SS. 74.1-80.3

- § 7:3 [Section 74.1 Mutual company definition]
- § 7:4 [Section 75 Unauthorized insurance business prohibited]
- § 7:5 Commentary—Subs. (d)
- § 7:6 [Section 76 Exceptions]
- § 7:7 [Section 77 Reserves]
- § 7:8 [Section 78 Reinsurance]
- § 7:9 [Section 79 Rebates of premiums prohibited]
- § 7:10 [Section 80 Separation of class funds of insurance company]
- § 7:11 [Section 80.1 Coverage by property insurer]
- § 7:12 [Section 80.2 Obligation of insurer with respect to agent's commission]
- § 7:13 [Section 80.3 Complaint resolution]

B. DIVISION 6 MARKETING OF FINANCIAL PRODUCTS, SS. 88-96

- § 7:14 [Sections 88-90 Repealed]
- § 7:15 [Section 91 Disclosure of identity in advertising, etc]
- § 7:16 [Section 92 Insurers to file policy forms]
- § 7:17 [Section 92.1 Requirements of out of province insurers]
- § 7:18 Commentary
- § 7:19 [Section 92.2 Online sale of insurance]
- § 7:20 [Section 93 Prohibition against unfair forms of contract]
- § 7:21 [Section 94 Coercive tied selling prohibited]
- § 7:22 [Section 94.1 Insurance company—code of market conduct]
- § 7:23 [Section 94.2 Credit union—code of market conduct]
- § 7:24 [Section 94.3 Credit union—complaint resolution]
- § 7:25 [Section 95 Repealed]
- § 7:26 [Section 96 Substitute action of Authority]

III. PART 6 REGULATION OF OTHER PERSONS

A. GENERAL

- § 7:27 Part History

**B. DIVISION 2 INSURANCE AGENTS AND
ADJUSTERS, SS. 168-185**

- § 7:28 [Section 168 Definitions for Division]
- § 7:29 Commentary—“insurance adjuster”
- § 7:30 [Section 169 Exercise of rights under licence]
- § 7:31 [Section 170 Nominees]
- § 7:32 [Section 171 Prohibition of unlicensed agents and salespersons]
- § 7:33 Commentary—Subs. (2)
- § 7:34 [Sections 172-173 Repealed]
- § 7:35 [Section 174 Issue of licences]
- § 7:36 [Section 174.1 Issue of restricted insurance agent licences]
- § 7:37 [Section 175 Repealed]
- § 7:38 [Section 176 Insurance applications to be accepted only from holders of licences]
- § 7:39 [Section 177 Selling offences]
- § 7:40 [Section 178 Payment of commission to unlicensed agents prohibited]
- § 7:41 [Section 179 Persons who may negotiate settlement of personal injury claim]
- § 7:42 [Section 180 Prohibition of unlicensed adjusters]
- § 7:43 Commentary
- § 7:44 [Sections 181-185 Repealed]

**IV. PART 7 ADMINISTRATION OF THE
REGULATION OF FINANCIAL INSTITUTIONS**

A. GENERAL

- § 7:45 Part History
- § 7:46 [Section 219.1 Collecting and sharing information respecting financial institutions]

**B. DIVISION 2 INSURANCE COUNCIL OF
BRITISH COLUMBIA, SS. 220-234**

- § 7:47 Part History
- § 7:48 [Section 220 Establishment of the Insurance Council of British Columbia]
- § 7:49 Commentary—S. 220(2)
- § 7:50 [Section 221 Alternates]
- § 7:51 [Section 222 Executive director]
- § 7:52 [Section 223 Committees]
- § 7:53 [Section 224 Voting]
- § 7:54 [Section 225 Meetings]

TABLE OF CONTENTS

§ 7:55	[Section 225.1 Rules of council]
§ 7:56	[Section 225.2 Procedures for and availability of rules]
§ 7:57	[Section 225.3 Regulation prevails over council rule]
§ 7:58	[Section 226 Administrative policies]
§ 7:59	[Section 227 Duties of council]
§ 7:60	[Sections 228-229 Repealed]
§ 7:61	[Section 230 Effect on sections 231 to 233 of a transfer of powers to superintendent]
§ 7:62	[Section 231 Council may suspend, cancel or restrict licences and impose fines]
§ 7:63	Commentary
§ 7:64	[Section 232 Investigation]
§ 7:65	Commentary
§ 7:66	[Section 232.1 Powers on investigation]
§ 7:67	[Section 232.2 Powers of entry]
§ 7:68	[Section 232.3 Warrant to enter residence]
§ 7:69	[Section 232.4 Powers on investigation]
§ 7:70	[Section 232.5 Certified copies of records as evidence]
§ 7:71	[Section 232.6 Obstructing or interfering with investigation]
§ 7:72	[Sections 233-234 Repealed]

C. DIVISION 3 HEARINGS AND APPEALS, SS. 235-243

§ 7:73	[Section 235 Orders, consents and refusals to be in writing]
§ 7:74	[Section 236 Power to impose conditions]
§ 7:75	[Section 237 Hearing requirements]
§ 7:76	Commentary
§ 7:77	[Section 238 Summary procedure—superintendent or council]
§ 7:78	Commentary
§ 7:79	—Subs. 238(2)
§ 7:80	[Section 238.1 Summary procedure—Authority]
§ 7:81	[Section 239 Public hearing]
§ 7:82	[Section 240 Witnesses at hearings]
§ 7:83	[Section 241 Costs of investigation]
§ 7:84	[Section 241.1 Costs]
§ 7:85	[Section 242 Appeal]
§ 7:86	Commentary
§ 7:87	[Section 242.1 Financial Services Tribunal]
§ 7:88	Commentary

ANNOTATED BRITISH COLUMBIA INSURANCE (VEHICLE) ACT

- § 7:89 —Subs. 242.1(7)
- § 7:90 [Section 242.2 Practice and procedure]
- § 7:91 Commentary
- § 7:92 —Subs. 242.2(5)
- § 7:93 —Sub. 242.2(6)
- § 7:94 —Sub. 242.2(7)
- § 7:95 —Sub. 242.2(8)
- § 7:96 —Sub. 242.2(8)(b)
- § 7:97 —Sub. 242.2(10)(b)
- § 7:98 —Sub. 242.10(g)
- § 7:99 —Sub. 242.2(11)
- § 7:100 [Section 242.3 Judicial review]
- § 7:101 Commentary
- § 7:102 [Section 242.4 Appeal from a decision of the
Authority]
- § 7:103 Commentary
- § 7:104 [Section 243 Immunities]
- § 7:105 Commentary

V. PART 8 SANCTIONS

A. DIVISION 1 GENERAL SANCTIONS, SS. 244-251

- § 7:106 [Section 244 Superintendent's order to cease or
remedy]
- § 7:107 Commentary—Sub. 242(2)
- § 7:108 [Section 245 Order to freeze property]
- § 7:109 [Section 246 Order for compliance]
- § 7:110 [Section 247 Valuation of assets and insurance
contracts]
- § 7:111 [Section 248 Supervision of central credit union]
- § 7:112 [Section 249 Revocation of business authorization]
- § 7:113 [Section 250 Notice of revocation of business
authorization]
- § 7:114 [Section 251 Appointment of receiver, etc]

B. DIVISION 2 OFFENCES AND PENALTIES, SS. 252-259

- § 7:115 [Section 252 Offences]
- § 7:116 [Section 253 Penalties]
- § 7:117 [Section 253.1 Administrative penalties]
- § 7:118 Commentary
- § 7:119 [Section 253.2 Limitation on proceedings]
- § 7:120 [Section 253.3 Failure to pay administrative
penalty]

TABLE OF CONTENTS

- § 7:121 [Section 254 Remedies preserved]
- § 7:122 [Section 255 Limitation period]
- § 7:123 [Section 256 Court order to comply]
- § 7:124 [Section 257 Restitution]
- § 7:125 [Section 258 Innocent third parties]
- § 7:126 [Section 259 Remedy of irregularities]

CHAPTER 8. B.C. REG. 84/91 INSURANCE COMPANY VEHICLE LIABILITY INSURANCE REGULATION

I. GENERAL

- § 8:1 Amendment History
- § 8:2 Purpose of Regulation, Generally

II. SECTION 1 INTERPRETATION

- § 8:3 [Section 1 Interpretation]
- § 8:4 Commentary—“action”

III. SECTION 2 CONDITIONS ON INSURERS CONTRACTING MOTOR VEHICLE LIABILITY INSURANCE

- § 8:5 [Section 2 Conditions on insurers contracting motor
vehicle liability insurance]
- § 8:6 Commentary—Subs. 2(2)(b)
- § 8:7 —Subs. 2(3)(b)

APPENDICES

- Appendix A. Proof of Facts
- Appendix B. Summary of Accident Benefits
- Appendix IF. Issues in Focus
- Appendix TC. Tables of Concordance
- Appendix WP. Words and Phrases

Table of Added Cases

Table of Cases

Index